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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/253,174 02/19/99 TAYEBI

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EXAMINER

IM62/0426

AMAD TAYEBI
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WESTFORD MA 01886

AHMAD, N

ART UNIT

PAPER NUMBER

1772

DATE MAILED:

04/26/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/253,174

Applicant(s)
Tayebi

Examiner
Nasser Ahmad

Group Art Unit
1772



☒ Responsive to communication(s) filed on Apr 15, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 13-15 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 13-15 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. Upon further consideration and a review of the claimed subject matter and a view of the newly uncovered prior art references, the finality of the last Office Action (paper no. 5) of March 6, 2000 is being withdrawn.

Prosecution is reopened and a complete Action on the merit follows.

2. Claim 13 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hangwitz for reasons of record in paper no. 3, paragraph -3, mailed September 8, 1999 and paper no. 5, paragraph -1, mailed March 6, 2000.

3. Applicant's arguments filed April 15, 2000 have been fully considered but they are not persuasive.

Applicant argues that Hangwitz teaches only the use of permanent adhesive and not an adhesive of temporary adhesion nature, and that the temporary adhesion nature results in no damage to the surface on which the sticker is applied.

These are not deemed to be persuasive because Hangwitz clearly teaches an affixable - detachable paper sheet, with adhesive in the form of microdots such that the affixable paper can be removed from a second paper in substantially original condition. Applicant should note that the Hangwitz clearly teaches that reducing the surface area of the adhesive to small dot yields secure adhesion and yet allows substantially non-destructive removal from the surface of attachment. Hence, Hangwitz's adhesive does exhibit the property of an adhesive of "temporary adhesion nature.

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Thus, in the absence of any evidence to the contrary, it remains the Examiner's position that the claimed invention is anticipated over the prior art of record.

4. The following are new grounds of rejection in view of the newly discovered prior art.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

6. (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Madole (5,299,833).


Madole relates to a paper sheet having a first area provided with a strip of repositionable pressure sensitive adhesive (PSA) and a line of separation between said adhesive first area and the adhesive-free second area as shown in the drawing (figures 1-4). The weakened tear line is located within the second area. Further, figure -1 shows tear lines 16 or 18 that separates the sheet into two sections and wherein said tear lines 16 or 18 originates withⁱⁿ at least one first area and ends within one second area.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is (703) 308-4424. The examiner can normally be reached on Monday - Thursday from 8:30 am to 6:00 pm. The examiner can also be reached on alternate Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ellis Robinson, can be reached on (703) 308-2364. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.


NASSER AHMAD
PRIMARY EXAMINER
~~GROUP 1300~~
TC-1700

Nasser Ahmad/om
April 20, 2000